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(3)

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Declaration and Power of Attorney

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I hereby claim the benefit under Title 35, United States Code, 119(e) of any United States provisional application(s) identified below:

U.S. Provisional Application No.: 60/266,575 Filed: February 5, 2001

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **COMPOSITIONS AND METHODS FOR TREATING ALLERGIC FUNGAL SINUSITIS** U.S. Serial No. 10/061,025, filed January 30, 2002.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

I acknowledge the duty to disclose all information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

None

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint as my attorneys or agents the registered persons identified under

Customer No. 26345

namely, the law firm of Gibbons, Del Deo, Dolan, Griffinger & Vecchione, said attorneys or agents with full power of substitution and revocation to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.

Please address all correspondence regarding this application to **Customer No. 26345**.

**Intellectual Property Docket Administrator
Gibbons, Del Deo, Dolan, Griffinger & Vecchione
One Riverfront Plaza
Newark, New Jersey 07105-5497**

Telephone calls should be made to **William H. Epstein at Gibbons, Del Deo, Dolan, Griffinger & Vecchione** at:

Phone No.: 973-596-4500 or 973-596-4607
Fax No.: 973-639-6397

Full name of sole inventor: Morton J. Seligman

Inventor's signature Morton Seligman Date March 7, 2002

Residence: Wyckoff, Bergen County, New Jersey

Citizenship: US

Post Office Address: 541 Cedar Hill Avenue
Wyckoff, New Jersey 07481